

RECEIVED
MAR 16 2004

STATE OF MINNESOTA
BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE,
AND INTERIOR DESIGN

In the matter of
Shane Coen
License Number 26215

STIPULATION
AND
ORDER

Board File No. 2004-0033

TO: Shane Coen
Coen + Partners, Inc.
400 First Avenue North, Suite 710
Minneapolis, MN 55401

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design (Board) is authorized pursuant to Minn. Stat. §§ 214.10 and 326.111 (2002) to review complaints against architects, engineers, land surveyors, landscape architects, geoscientists, and certified interior designers, and to take disciplinary action whenever appropriate.

The Board received information concerning Mr. Shane Coen (Respondent). The Board's Complaint Committee (Committee) reviewed the information. The parties have agreed that the matter may now be resolved by this Stipulation and Order.

STIPULATION

IT IS HEREBY AGREED by and between Respondent and the Committee as follows:

1. Jurisdiction. The Respondent has held a license to practice landscape architecture from the Board since September 14, 1998. Respondent is subject to

jurisdiction of the Board with respect to the matters referred to in this Stipulation.

2. Facts. This Stipulation is based upon the following facts:

a. Respondent was first licensed to practice landscape architecture in the State of Minnesota on September 14, 1998.

b. On July 1, 2002, Respondent's license to practice landscape architecture in the State of Minnesota lapsed.

c. Respondent is the owner of Coen + Partners, Inc.

d. Respondent is listed as a RLA for Coen Stumpf Associates in the 2003-2004 Minnesota American Society of Landscape Architects membership directory. A true and correct copy of the 2003-2004 Minnesota American Society of Landscape Architects membership directory is attached hereto as Exhibit A.

e. In correspondence dated November 22, 2003 to the Board, Respondent stated:

"I was distraught to learn that my landscape architecture license expired in July of 2002. We moved our offices during the summer of 2000. We notified all addresses in our mailing database of our name change, including the American Society of Landscape Architects. Regretfully, the Licensure Board was not included in this database. Subsequently, I never received the notification for renewal that was mailed to our former address and then returned to your offices.

I embrace the responsibilities associated with being a registered landscape architect. I am a dedicated professional who volunteers my

time to lecture at ASLA and AIA sponsored events, provide guidance to students who request my assistance, and have worked hard to have my firm's projects represent the talent, integrity and potential of our profession."

A true and correct copy of the November 22, 2003 letter is attached hereto as Exhibit B.

f. Respondent submitted a list of 35 Minnesota projects in which he held himself out and/or practiced landscape architecture with a lapsed license. Of the 35 projects listed, 13 were commercial and 22 were residential projects. A true and correct copy of the list of projects is attached hereto as Exhibit C.

g. Respondent's license to practice landscape architecture was reinstated on December 1, 2003.

3. Violations. Respondent admits that the facts specified above constitute violations of Minnesota Statutes § 326.02, subds. 1 and 4a (2002).

4. Enforcement Action. Respondent and the Committee agree that the Board should issue an Order in accordance with the following terms:

a. Reprimand. Respondent is reprimanded for the foregoing conduct.

b. Civil Penalty. Respondent shall pay a civil penalty of one thousand five hundred dollars (\$1,500.00) to the Board to the Board within sixty days after the date of the Board's Order.

5. Additional Discipline for Violations of Order. If Respondent violates this Stipulation and Order the Board may impose additional discipline pursuant to the following procedure:

a. The Committee shall schedule a hearing before the Board. At least

thirty days prior to the hearing, the Committee shall mail Respondent a notice of the violation alleged by the Committee and of the time and place of the hearing. Within fourteen days after the notice is mailed, Respondent shall submit a response to the allegations. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

b. At the hearing before the Board, the Complaint Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice or suspension or revocation of Respondent's license.

6. Waiver of Respondent's Rights. For the purpose of this Stipulation, Respondent waives all procedures and proceedings before the Board to which Respondent may be entitled under the Minnesota and United States constitutions, statutes, or the rules of the Board, including the right to dispute the allegations against Respondent, to dispute the appropriateness of discipline in a contested proceeding pursuant to Minn. Stat. ch. 14, and to dispute the civil penalty imposed by this Agreement. Respondent agrees that upon the application of the Committee without notice to or an appearance by Respondent, the Board may issue an Order containing the enforcement action specified in paragraph 4 herein. Respondent waives the right to any judicial review of the Order by appeal, writ of

certiorari, or otherwise.

7. Collection. In accordance with Minn. Stat. § 16D.17, Subd. 2 (2002), in the event this order becomes final and Respondent does not comply with the condition in paragraph 4(b) above, Respondent agrees that the Board may file and enforce the unpaid portion of the civil penalty as a judgment without further notice or additional proceedings.

8. Board Rejection of Stipulation Order. In the event the Board in its discretion does not approve this Stipulation and Order or a lesser remedy than specified herein, this Stipulation and Order shall be null and void and shall not be used for any purpose by either party hereto. If this Stipulation is not approved and a contested case proceeding is initiated pursuant to Minn. Stat. ch. 14, Respondent agrees not to object to the Board's initiation of the proceeding and hearing the case on the basis that the Board has become disqualified due to its review and consideration of this Stipulation and the record.

9. Record. The Stipulation, related investigative reports and other documents shall constitute the entire record of the proceedings herein upon which the Order is based. The investigative reports, other documents, or summaries thereof may be filed with the Board with this Stipulation.

10. Data Classification. Under the Minnesota Data Practices Act, this Stipulation and Order is classified as public data upon its issuance by the Board. Minn. Stat. § 13.41, subd. 5 (2002). All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minn. Stat. ch. 13. They shall not, to the extent they are not already public documents, become public merely because they are referenced herein. A summary of this Order will appear in the Board's newsletter. A summary will also be sent to the national discipline data bank for

Respondent's profession.

11. Entire Agreement. Respondent has read, understood, and agreed to this Stipulation and is freely and voluntarily signing it. The Stipulation contains the entire agreement between the parties hereto relating to the allegations referenced herein. Respondent is not relying on any other agreement or representations of any kind, verbal or otherwise.

12. Unrelated Violations. This settlement shall not in any way or manner limit or affect the authority of the Board to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Respondent justifying disciplinary action which occurred before or after the date of this Stipulation and Order and which is not directly related to the specific facts and circumstances set forth herein.

13. Counsel. Respondent is aware that he may choose to be represented by legal counsel in this matter. Respondent knowingly waived legal representation.

14. Service. If approved by the Board, a copy of this Stipulation and Order shall be served personally or by first class mail on Respondent.

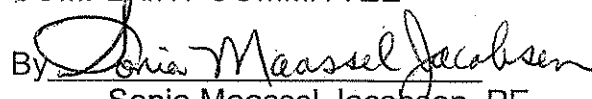
The order shall be effective and deemed issued when it is signed by the Chair of the Board.

RESPONDENT


Shane Coen, LA

Dated: 3.15, 2004

COMPLAINT COMMITTEE

By 
Sonia Maassel Jacobsen, PE
Committee Chair

Dated: March 16, 2004

ORDER

Upon consideration of the foregoing Stipulation and based upon all the files, records and proceedings herein, all terms of the Stipulation are approved and adopted and hereby issued as an Order of this Board this 14 day of May, 2004.

MINNESOTA BOARD OF
ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE
ARCHITECTURE, GEOSCIENCE, AND
INTERIOR DESIGN.

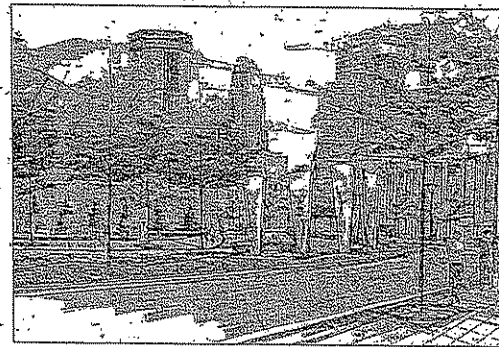
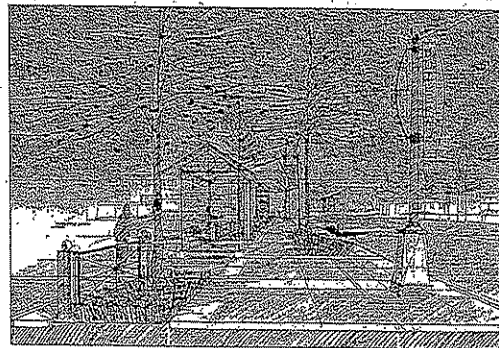
By: 

James O'Brien, Architect
Chair

MASLA

2003
2004

AMERICAN SOCIETY OF
LANDSCAPE ARCHITECTS
MINNESOTA CHAPTER



MEMBERSHIP DIRECTORY
AND AWARD PROFILES

EXHIBIT A

Firm Personnel by Discipline:

- 9 Landscape Architects
- 1 Administrative
- 10 TOTAL

Categories of project work and % of firm's practice:

- 5% Residential/ Gardens
- 10% Site Planning & Development Studies
- 20% Parks and Open space
- 40% Urban Design and Streetscape
- 15% Master/ Comprehensive planning
- 10% Multi-Family Housing/ PUDS

Example Projects:

- Wayzata City Hall & Library Site Design; Wayzata, MN
- East River Flats Regional Park Master Plan; Minneapolis, MN
- The Towers Condominiums Site Restoration; Minneapolis, MN
- Ramsey Town Center Urban Design and Master Planning, City of Ramsey, MN
- Firefighters' Memorial Site Design, State Capital Mall, St. Paul, MN
- Chestnut Plaza Site Design; St. Paul, MN

COEN + STUMPF + ASSOCIATES, Inc.

400 First Avenue North, Suite 710
Minneapolis, MN 55401
(612) 341.8070
(612) 339.5907 fax
contact@coenstumpf.com
www.coenstumpf.com e-mail

Shane Coen, RLA, ASLA

Firm Personnel by Discipline:

- 5 Landscape Architects
- 1 Administrative
- 6 TOTAL

Categories of project work and % of firm's practice:

- 20% Residential/Gardens
- 20% Urban Design and Streetscape
- 40% Master/Comprehensive Planning
- 20% Multi-Family Housing/PUDS

Example Projects:

- Mayo Woodlands Planned Residential Community, Rochester, MN
- Minneapolis Central Library, Minneapolis, MN
- United Theological Society, Bigelow Chapel Garden, New Brighton, MN
- David Salmela /Coen Stumpf ongoing residential collaborations; throughout MN & WI
- Bradshaw Celebration of Life Center & Columbarium; Stillwater, MN
- Anderson Windows Exposition House, Park City, UT

DAMON FARBER ASSOCIATES, Inc.

923 Nicollet Mall
Minneapolis, MN 55402
(612) 332.7522
(612) 332.0936 fax
dfarber@damonfarber.com e-mail

Damon Farber, FASLA, RLA
Thomas Whitlock, ASLA, RLA
Peter Larson, ASLA, RLA
Terry Minarik, RLA
Jesse Symnykiewicz, RLA
Dana Schumacher, ASLA, RLA
Ellen Stewart, ASLA

Firm Personnel by Discipline:

- 11 Landscape Architects
- 1 Administrative
- 12 TOTAL

Categories of project work and % of firm's practice:

- 5% Residential Gardens
- 15% Site Planning & Development Studies
- 5% Parks and Open Space
- 35% Urban Design and Streetscape
- 5% Campus/Estate Planning
- 20% Master/Comprehensive planning
- 5% Recreation/Resort Planning
- 5% Multi-Family Housing/PUDS
- 5% Corridor/Transportation Planning

Example Projects:

- Hennepin Co. Government Center Plaza and Open Space Redevelopment, Minneapolis, MN
- Minneapolis Institute of Arts Expansion and Childrens Theater, Minneapolis, MN
- Central Park and Community Center, Eagan, MN
- Excelsior and Grand Mixed Use Housing and Retail Development, St. Louis Park, MN
- Bethesda Rehabilitation Hospital Wellness Gardens, St. Paul, MN
- Marshall Avenue/Northeast Minneapolis Streetscape, Minneapolis, MN

ERNST ASSOCIATES

122 West 6th Street
Chaska, MN 55318
(952) 448.4094
(952) 448.6997 fax
ernstia@mn.rr.com e-mail

Gene Ernst, ASLA, RLA
Curt H. Claeys, ASLA

Firm Personnel by Discipline:

- 1 Landscape Architects
- 1 Architect
- 1 Administrative
- 3 TOTAL

Categories of project work and % of firm's practice:

- 1% Residential/ Gardens
- 25% Site Planning & Development Studies

- 15% Parks and Open space
- 30% Urban Design and Streetscape
- 10% Redevelopment Planning
- 9% Multi-Family Housing/ PUDS
- 5% Transit Facilities Planning

Example Projects:

- Best Buy Corporate Campus; Richfield, MN
- Cloverfield Square and Obelisk, Chaska, MN
- Heritage Park; Wayzata, MN
- Dancing Waters, Woodbury, MN
- Southwest Station, Eden Prairie, MN
- University of St. Thomas Law School; Minneapolis, MN

HOISINGTON KOEGLER GROUP Inc.

123 North 3rd Street, Suite 100
Minneapolis, MN 55401
(612) 338.0800
(612) 338.6838 fax
ebloodgett@hkgl.com e-mail

Mark Koezler, ASLA, RLA
Bruce Chamberlain, ASLA, RLA
Paul Paige, RLA
Brad Scheib, AICP

Firm Personnel by Discipline:

- 8 Landscape Architects
- 4 Planners
- 12 TOTAL

Categories of project work and % of firm's practice:

- 15% Site Planning & Development Studies
- 5% Environmental Studies (EIS) (EAW)
- 20% Urban Design and Streetscapes
- 20% Master/ Comprehensive planning
- 15% Redevelopment Planning
- 10% Parks and Open Space
- 10% Corridor/ Transportation Planning
- 5% Multi-Family Housing/PUDS

Example Projects:

- Hastings River Flats; Hastings, MN
- Northwest Corridor Bus Rapid Transit Station Area Planning, Northwest Metro Twin Cities
- Comprehensive Plan, Worthington, MN
- East Ravine Neighborhood Pre-Design, Cottage Grove, MN
- Town and Country AUAR, Chanhassen, MN
- Downtown Revitalization Master Plan, Hutchinson, MN

INGRAHAM & ASSOCIATES

1510 Como Ave. SE
Minneapolis, MN 55414
(612) 377.2500
(612) 377.1010 fax
greg@ingraham-associates.com e-mail
www.ingraham-associates.com website

Greg Ingraham, ASLA, RLA, AICP
Stephen Wensman, RLA

11.22.03

coen+partners
landscape architecture urban design planning

Board of Architecture, Engineering,
Land Surveying, Landscape Architecture,
Geoscience and Interior Design
85 East 7th Street Suite 160
Saint Paul, MN 55101

RECEIVED

NOV 26 2003

Re: File No. 2004-0033

Dear Board:


I was distraught to learn that my landscape architecture license expired in July of 2002. We moved our offices during the summer of 2000. We notified all addressees in our mailing database of our name change, including the American Society of Landscape Architects. Regretfully, the Licensure Board was not included in this database. Subsequently, I never received the notification for renewal that was mailed to our former address and then returned to your offices.

I embrace the responsibilities associated with being a registered landscape architect. I am a dedicated professional who volunteers my time to lecture at ASLA and AIA sponsored events, provide guidance to students who request my assistance, and have worked hard to have my firm's projects represent the talent, integrity and potential of our profession.

Upon receiving this current notification, I completed the License Certification Renewal form, including documentation of my PDH credits. Please accept my sincerest apology for not realizing my license had expired and the breakdown of communication regarding my new contact information. I am of course available to answer any questions you may have.

I have attached the additional information you have requested.

Sincerely,
Coen+Partners, Inc.



Shane Coen

EXHIBIT B

PROJECT LIST

July 2002 to October 2003

Coen + Partners

<u>project</u>	<u>city</u>	<u>state</u>	<u>scope of services</u>
Adrian Residence	Dellwood	Minnesota	Residential project currently in design development
Archabal residence	Saint Paul	Minnesota	Small garden project
Baumgarten Residence	Duluth	Minnesota	Residential project, project under construction
Bigelow Chapel, United Theological Society	New Brighton	Minnesota	SD - CD, drawings signed, project under construction
Bolen Residence	Saint Louis	Missouri	Residential, project in re-design phase
Bradshaw Celebration of Life Center	Stillwater	Minnesota	SD - Construction, Site plan for funeral home, drawings signed
Cannon Community Hospital	Cannon Falls	Minnesota	Project in schematic design
Collegeville - The Village at Saint Johns	Collegeville	Minnesota	Conceptual plans for new community, project cancelled
Collegeville - University Village	Winona	Minnesota	SD - DD, Landscape plans for new community
Dalseth Residence	Apple Valley	Minnesota	Conceptual masterplan for residence
Dewey Residence	Minneapolis	Minnesota	SD - Construction, residential project
Dusek Residence	Duluth	Minnesota	Residential project, project under construction
Fernstrum Residence	Marine on St. Croix	Minnesota	SD - Construction, residential project
Francis Residence	St. Croix Falls	Wisconsin	Conceptual drawings for roof garden
Grossman Residence	Minneapolis	Minnesota	Project in conceptual design for roof terraces
Gruls Residence	Marine on St. Croix	Minnesota	SD - Construction, residential project
Inspiration House	Park City	Utah	SD - CD, residential project
Jackson Meadow	Marine on St. Croix	Minnesota	On-Going consulting, no drawings
Levy Residence	Hopkins	Minnesota	Conceptual masterplan, residential
Lewis Sampson Residence	Duluth	Minnesota	Conceptual masterplan, residential
Loken Residence	Duluth	Minnesota	Conceptual masterplan, residential
Lokken Residence	Prescott	Wisconsin	SD - DD, residential site plan
Marine Pedestrian Bridge	Marine on St. Croix	Minnesota	Conceptual design and renderings for pedestrian bridge
Matthew Residence	Sartell	Minnesota	SD - Construction, residential project
Mayo Woodlands	Rochester	Minnesota	Site Masterplanning, planting plan

continued on next page

EXHIBIT C

PROJECT LIST - Page 2
July 2002 to October 2003

Coen + Partners

<i>project</i>	<i>city</i>	<i>state</i>	<i>scope of services</i>
Mayo Woodlands - McPhail	Rochester	Minnesota	SD - CD, Residential project
Mayo Woodlands - Nyberg	Rochester	Minnesota	SD - CD, Residential project
Minneapolis Central Library	Minneapolis	Minnesota	SD - DD, Project on-going
Montle Androff Residence	Marine on St. Croix	Minnesota	SD - CD, Residential project
Murphy Residence	Mendota Heights	Minnesota	Conceptual masterplan, residential
Oak Ridge Country Club	Hopkins	Minnesota	Project in Schematic Design, Country Club House Site Plan
Penn Place	Minneapolis	Minnesota	SD - CD, Landscape plans for new community project in re-design
Renee Jackson Residence	Bloomington	Minnesota	Residential garden design
Skogmo Morin Residence	Minneapolis	Minnesota	Conceptual courtyard drawings
Skyway Events Services	Minneapolis	Minnesota	Conceptual rendering and site plan
Stillwater Public Works	Stillwater	Minnesota	SD - Construction, Site plan for new public works facility
Streeter Residence, Kevin	Deephaven	Minnesota	SD - CD, Residential project
Streeter Residence, Steven	Deephaven	Minnesota	SD - Construction, Residential project
Tulane University Center	New Orleans	Louisiana	SD - CD, Site Plan for new University Center
Ventrudo Residence	Steamboat Springs	Colorado	SD - CD, Residential project
Washburn Anderson Community	Stillwater	Minnesota	SD - CD, Residential project
Yingst Sloan Residence	Grosse Pointe	Michigan	Residential project in conceptual design